

**William Caton**

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**From:** OTF OSfilings  
**Sent:** Thursday, April 10, 2003 8:26 AM  
**To:** William Caton  
**Subject:** Fwd: FCC Request for Waiver



FCC Appeal for  
Request for Wai...



attachment #1.jpg  
(743KB)



attachment #2.jpg  
(400KB)



attachment #3.jpg  
(308KB)

here you go...Best of luck.

-----Original Message-----

Date: 04/10/2003 08:26 am -0400 (Thursday)  
 From: CCB CCBSecretary  
 To: OTF OSfilings  
 CC: FilingsArchive  
 Subject: Fwd: FCC Request for Waiver

--\_Original Message-----

Date: 04/09/2003 01:51 pm -0400 (Wednesday)  
 From: Hernandez Toby  
 To: CCB CCBSecretary  
 CC: Aragon. Maritza  
 Subject: FCC Request for Waiver

This email is a Request for Waiver from the FCC, regarding our erate application 471 for funding year 2003-2004. If you have any questions, please do not hesitate to contact me at 305 819 8855 x127.

Mr. Hernandez  
 Youth Co-Op Charter School  
 12051 W. Okeechobee Rd.  
 Hialeha Gardens, FL 33018

No. of Copies rec'd 1  
 Ltr. AGODE

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## *FCC Appeal for Request for Waiver*

I. **Contact Information:** Maritza Aragon, 12051 W. Okeechobee Rd., Hialeah Gardens, FL 33018, PH #305 819 8855, Fax: 305 819 8455, Email: [Marauon@yccs.dadeschools.net](mailto:Marauon@yccs.dadeschools.net).

II. **Appeal Action:** We are seeking a **REQUEST FOR WAIVER**, on the form Titled FUNDING YEAR 2003 FORM 471 CERTIFICATION POSTED OUTSIDE OF WINDOW (471 application #365017), dated March, 12\* 2003.

III. **FRN Number:** CC Docket Nos. 96-45 and 97-21 (FRN Number not applicable)

IV. **Appeal:** We are seeking a **waiver request of the deadline** for the February 6<sup>th</sup> deadline for filing of the form 471. We do not contest that our *paper* certification, Block 6, was received on the 7<sup>th</sup> of February. However, we did submit *electronically* all of our 471 information on the 6<sup>th</sup> of February. The FCC states that a waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule. It would serve in the best public interest to allow the online application to be the determining date of submission. The impact on services to the community, and its students, would be grave to an area that is made up of over 90% minorities, and predominantly lower socioeconomic status, (thus why we qualify in the 90% discount range on erate).

Our great need alone, while important to note, does not qualify as a special circumstance however. The circumstances surrounding the submission of the paper certification are also a part of the grounds we base our argument on. There was good cause involved in submitting the paper certification on the 7<sup>th</sup> instead of the 6<sup>th</sup>. The individual responsible for signing the certification letter could not be present on the 6<sup>th</sup> due to a principal's meeting, and Title I meeting, which lasted double session (see *attachment #1 & 2*). With regards to the procurement process, we had received a bid that morning of the 6<sup>th</sup> (see *attachment #3*) which qualified as the best bid and would enable the school to pursue internal wiring of the building, an expense that could now become possible thanks to the new

quote. This changed the 471 because of the addition, and while it was to be submitted online by someone else with this change on the 6<sup>th</sup>, with authority from the individual responsible for the certification, the actual signature would not be possible to attain until the next business day. This was because by the time the principal came back to school, it was past 6pm, the latest one could submit something for next day, overnight delivery. Our initial presumption that led to our believing that the principal could be back in plenty of time to sign the form and send it was incorrect due to factors that were largely out of our control.

This submission was not due to clerical error, nor irresponsibility on behalf of the sender. We are making the argument that a timely submission of the 471 document was made if one adheres to the online filing of the document, as well as to the spirit and diligence of the filing. We have participated fully in the E-rate program, and have benefited from this program in countless ways. We implore those at the FCC to allow us to continue to participate in this program, and continue to provide the technological exposure that a vast majority of our economically disadvantaged youth would not otherwise have. An appeal should be awarded not simply because of circumstances at the time, but in keeping in mind our past track record with the program, as well as its impact on the school and community.

We also understand that deadlines must be adhered to, if the program is to be run efficiently, and fairly. Deadlines must be placed and honored. Our argument is that this case does meet the criteria for timeliness, and responsibility, as well as having to do with extenuating circumstances. We hope that the FCC will approve our appeal, on the basis of its merit, and its willingness to provide the students at our school with the very best we can offer.



DIVISION OF SCHOOLS OF CHOICE  
SECOND QUARTERLY CHARTER SCHOOLS MEETING

February 6, 2003  
SBAB - Auditorium  
8:30 a.m. - 12:30 p.m.

A G E N D A

- ✓ *each sure*  
*995-7536*  
*995-2691*  
*995-1434*  
*635-7085*  
*995-7327*  
*995-7030*
- Welcome..... Mr. Michael Bell, Administrative Director  
Division of Schools of Choice
- introductions..... Dr. Carlo Rodriguez, District Director  
Division of Schools of Choice
- ✓ Networking Opportunities for  
Charter Schools Operators ..... Facilitator: Ms. Terry Maus, Principal  
Northeast Academy
- ✓ FCAT Student Results ..... Ms. Gisela Feid, Executive Director  
Mr. James Berty, Educational Specialist  
Office of Educational Planning and Quality Enhancement
- Financial Audit Compliance ..... Mr. George Balsa, Chief Auditor  
Office of Management and Compliance Audits
- ✓ ACES..... Mr. Chris de Ogburn, Coordinator  
Wage and Salary
- Acceleration for High Achievement..... Ms. Mary Floyd, Educational Specialist  
Division of Student Services
- Contract Compliance Issues..... Dr. Lourdes Linares, Supervisor  
Division of Schools of Choice
- Benchmarks
  - EESAC
- Personnel Issues ..... Ms. Maria Diaz. Support Personnel  
Division of Schools of Choice
- Closing Remarks ..... Dr. Carlo Rodriguez

# Charter Schools Quarterly Meeting

Thursday, February 6, 2003  
School Board Administration Building, Room 559

*J/sid*

*att: 1 page*

- I. **Organizational Operations.....Ms. Maybelline P. Truesdell, Executive Officer**  
**Title I Administration**

*Budget Detail Form.*

**Mrs. Collette Richardson, District Supervisor**  
**Title I Administration**

*will get the back months together - send tomorrow*

- II. **Title I Requirements**

- A. Self-Evaluation 2002-2003  
B. Regulations and Guidelines

- III. **Management Issues.....Ms. Judith A. Webb, Chief Budget Officer**  
**Office of Budget Management**

*995-2883 (Monica Reyes)*

- A. Budget  
B. Regulations and Guidelines

- IV. **Current Issues**

*Burton*

*Up...*

*see*



March 21, 2003

Mr. Hernandez, AP  
Youth *coop* Charter School  
1: 051 Wen Okeechobee Road  
Miami, Florida

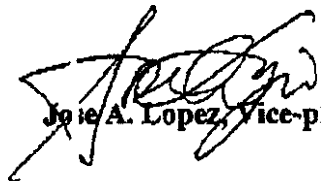
Dear Sir:

This is to confirm that our quote for the additional Data Network Wiring that you requested for E-rate 6 Funding was prepared on February 5, 2003, and faxed to you on February 6, 2003.

We prepared the quote on the same day we visited the School, but did not have time to send it to you on the same day.

Should you require additional information, please let us know.

Yours truly,  
Telecom Engineering Consultants, Inc.

  
Jose A. Lopez, Vice-president